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*Attorneys for Plaintiff and the Proposed Settlement Class*

**UNITED STATES DISTRICT COURT****DISTRICT OF UTAH – CENTRAL DIVISION**

BENJAMIN GARCIA, on behalf of himself and  
all others similarly situated,

Plaintiff,

vs.

BRIGHAM YOUNG UNIVERSITY d/b/a BYU  
BROADCASTING

Defendant.

**PLAINTIFF’S UNOPPOSED MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT**

Judge: Hon: Ann Marie McLiff Allen

Mag. Judge: Hon. Daphne A. Oberg

Case No.: 1:24-cv-00188-AMA-DAO

Plaintiff Benjamin Garcia (“Plaintiff”), by and through undersigned counsel and pursuant to the Class Action Settlement Agreement dated \_\_\_\_\_, 2025 and filed herewith (the “Settlement Agreement”),<sup>1</sup> and the exhibits attached thereto, moves this Court for preliminary approval of the proposed settlement (the “Settlement”) of this action (the “Action”). More specifically, Plaintiff respectfully requests that this Court enter an order, substantially in the form of the proposed order attached as Exhibit E to the Settlement Agreement, (1) finding it will likely (a) approve the Settlement and (b) certify the Settlement Class for purposes of judgment on the proposed Settlement; (2) appointing Plaintiff as Class Representative for the Settlement Class; (3) appointing Allen Carney, Hank Bates, and Sam Jackson of Carney Bates & Pulliam, PLLC; Jacob D. Barney of Anderson & Karrenberg, P.C.; and Mark Reich of Levi & Korsinsky LLP as Class Counsel; (4) approving the form and manner of notice and directing notice to the Settlement Class; and (5) scheduling a hearing before the Court to determine whether the Settlement should be finally approved and to consider Plaintiff’s request for attorneys’ fees, litigation expenses, and a Service Award.

Dated: June 23, 2025

Respectfully submitted,

/s/Allen Carney

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<sup>1</sup> Unless otherwise indicated, capitalized terms herein refer to and have the same meaning as in the Settlement Agreement.

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Class*

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing pleading was filed via the Court's e-filing system on this date on counsel of record.

Date: June 23, 2025

/s/Allen Carney  
Allen Carney